

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

DAYRON T. JOHNSON,	)	
	)	
Movant,	)	
	)	Civil No. 09-00830-CV-W-ODS-P
v.	)	Crim. No. 05-00029-03-CR-W-ODS
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**GOVERNMENT'S REQUEST FOR EXTENSION OF TIME**

The United States of America, through its undersigned counsel, respectfully requests a seven-day extension of time in which to file its response in this matter. In support, the Government states the following:

1. Dayron T. Johnson, the movant, has filed a motion, pursuant to 28 U.S.C. § 2255, seeking to vacate his conviction. In that motion, Johnson raises four allegations of ineffective assistance of counsel. The Government filed a response to that motion. Johnson has since filed a motion seeking discovery, and this Court has ordered the Government to respond. The Government's response is due February 12, 2010.

2. The Government is preparing a supplemental response to Johnson's § 2255 motion and a response to his motion for discovery. However, the Government will need additional time to complete those responses. Accordingly, the Government would request an additional seven days in which to file its response.

WHEREFORE, for the foregoing reasons, the government respectfully requests a seven-day extension of time, up to and including February 19, 2010, in which to respond to Johnson's motion seeking discovery.

Respectfully submitted,

Beth Phillips  
United States Attorney

By /s/ Kathleen D. Mahoney  
Kathleen D. Mahoney  
Assistant United States Attorney

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Kansas City, Missouri 64106  
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*Attorneys for Respondent*

#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was delivered to the CM/ECF system on February 11, 2010, for delivery to all counsel of record, and mailed to:

Dayron T. Johnson  
Reg. No. 17701-045  
McCreary - U.S. Penitentiary  
P.O. Box 3000  
Pine Knot, Kentucky 42635

/s/ Kathleen D. Mahoney  
Kathleen D. Mahoney  
Assistant United States Attorney